

Bereskin & Parr**INTELLECTUAL PROPERTY LAW**

Meadowvale Corporate Centre, 2000 Argentia Road
Plaza 4, Suite 430, Mississauga, Ontario, Canada L5N 1W1
t: 905 812 3600 f: 905 814 0031

RECEIVED
CENTRAL FAX CENTER

JAN 28 2004

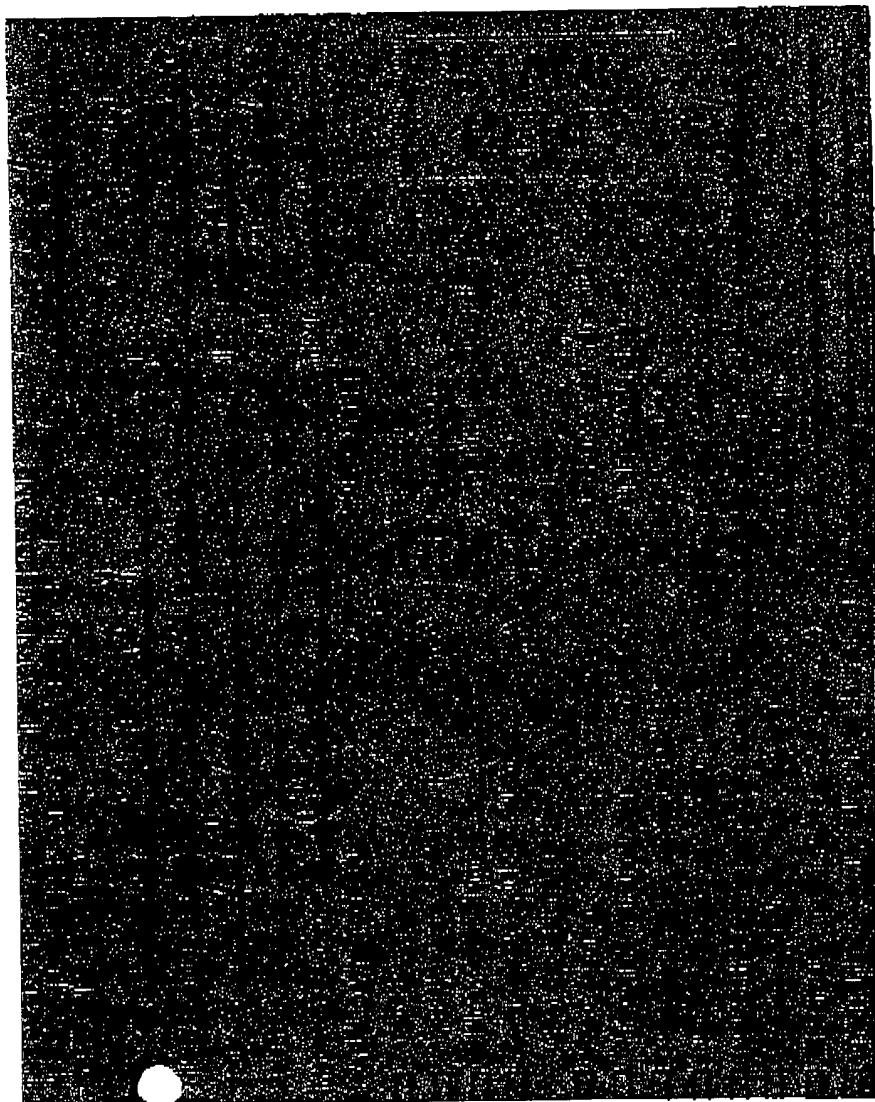
OFFICIAL

TELEFAX TRANSMITTALTO: Examiner Angela MartinFIRM: USPTOFAX NO.: 703-872-9306FROM: H. Samuel FrostDATE: January 26, 2004PAGES: 25
(Including cover sheet)File No.: 9351-46Lawyer No.: 023

If transmission is interrupted or of poor quality, please notify us immediately by calling
Leslie Taggart at (905) 812-3600, ext. 6539

COMMENTS:**CONFIDENTIAL**

This communication may contain information that is privileged or confidential and is intended only for the use of the individual to whom it is addressed. Any other distribution, copying or disclosure is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us by mail. Thank you.



PTO/SB/21 (09-03)

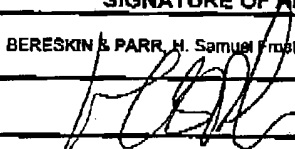
Approved for use through 07/31/2006. OMB 0851-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/854,362
	Filing Date	May 15, 2001
	First Named Inventor	David G. Frank
	Art Unit	1745
	Examiner Name	Angela J. Martin
Total Number of Pages in This Submission	Attorney Docket Number	9351-46

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	BERESKIN & PARR, H. Samuel Frost, Registration No. 31,696
Signature	
Date	December 18, 2003

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name			
Signature		Date	

This collection of information is required by 37 CFR 1.6. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 36 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1460, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-8189 and select option 2.

Bereskin & Parr
INTELLECTUAL PROPERTY LAW

Appl. No : 09/854,362 Confirmation No.: 1286
Applicant : David G. Frank et al.
Filed : May 15, 2001
Title : Apparatus for and Method of Forming Seals in Fuel Cells
And Fuel Cell Stacks
TC./A.U. : 1745
Examiner : Angela J. Martin

Docket No. : 9351-46
Customer No. : 001059

RECEIVED
CENTRAL FAX CENTER

JAN 28 2004

Honorable Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

RESPONSE

OFFICIAL

Sir:

This is in response to the Office Action of July 22, 2003. The applicant is simultaneously filing a two-month extension of time request to be filed in the United States Patent and Trademark Office with respect to the above-noted application. Please amend the above-identified application as follows:

Amendments to the Specification begin on page 3 of this paper.

Amendments to the Drawings begin on page 6 of this paper and include both an attached replacement sheet and an annotated sheet showing changes.

Remarks/Arguments begin on page 7 of this paper.

Please send all correspondence to the Toronto office:

Scotia Plaza, 40 King St. West, 40th Floor,
Toronto, Ontario, Canada M5H 3Y2
Tel: 416.364.7311 Fax: 416.361.1398

2000 Argentia Rd., Plaza 4, Ste. 430,
Mississauga, Ontario, Canada L5N 1W1
Tel: 905.812.3600 Fax: 905.814.0031

Waterloo Technology Campus, 408 Albert St., Ste. 2,
Waterloo, Ontario, Canada N2L 3V3
Tel: 519.783.3210 Fax: 519.783.3211

www.bereskinparr.com

Appl. No. 09/854,362
Amdt. Dated December 18, 2003
Reply to Office action of July 22, 2003

An **Appendix** including amended drawing figures is attached following page 14 of this paper.